

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 25, 2006**

Court convened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California, 92701. Panel members are Rylaarsdam, Acting P.J., Aronson, J. and Fybel, J. Antoinette Cajigal deputy clerk attending

G036040 THE PEOPLE
 v.
 MARCO A. ESQUIVEL

Merits. Cause called. Katharine E. Greenebaum argued for appellant. Jennifer Jadovitz, Deputy Attorney General argued for respondent. Cause submitted.

G035551 NORMAN GOLDSTEIN
 v.
 GLEN G. FERNANDEZ ET AL.

Merits. Cause called. Jefford C. Davis argued for appellant. Cause submitted.

G036601 ERIC P.
 v.
 JOSEPH D.

Merits. Cause called. Jennifer Mack argued for appellant. Ted R. Youmans argued for respondent. Cause submitted.

G036968 ORANGE COUNTY SOCIAL SERVICES AGENCY
 v.
 HEATHER K.

Merits. Cause called. Robert F. McLaughlin argued for appellant. Jeannie Su argued for respondent. Cause submitted.

G035213 KAREN L. PHIPPS
 v.
 FRANK C. BARNES

Merits. Cause called. Brian G. Saylin argued for appellant. Carson C. Newton argued for respondent. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 25, 2006 (cont'd)**

G036433 JUDY KOLAR ET AL.

v.

DONAHUE, McINTOSH & HAMMERTON

Merits. Cause called. Timothy J. Donahue argued for appellant. Evan W. Granowitz argued for respondents. Cause submitted.

G037304 MICHAEL P.

v.

SUPERIOR COURT; ORANGE COUNTY SOCIAL SERVICES AGENCY

Merits. Cause called. Paul De Quattro, Deputy Public Defender argued for petitioner. Jeannie Su, Deputy County Counsel argued for real party interest. Cause submitted.

G036509 RONALD E. REISWIG ET AL.

v.

DEPARTMENT OF CORPORATIONS

Merits. Cause called. Mark T. Uyeda argued for appellant. John H. Baker argued for respondents. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 25, 2006 (cont'd)**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California, 92701. Panel members are Sills, P. J., Aronson, J. and Fybel, J. Antoinette Cajigal deputy clerk attending.

G035487 THE PEOPLE
 v.
 MICHAEL L. VILLASENOR ET AL.

Merits. Cause called. Betty A. Haight argued for appellant, Christopher Villaseenor. Attorney Marilee Marshall no appearance due to illness, submits on the brief. Jeffrey Koch, Deputy Attorney General argued for respondent. Cause submitted.

G035624 THE PEOPLE
 v.
 EARL LUDWICK

Merits. Cause called. Mark S. Devore argued for appellant. Heather Crawford, Deputy Attorney General argued for respondent. Cause submitted.

G036396 THE PEOPLE
 & v.
G036381 WALTER A. SORTO

Merits. Cause called. Jerry D. Whatley argued both cases together for appellant. James Flaherty, Deputy Attorney General argued both cases for respondent. The court ordered the parties to file additional briefing, on or before October 23, 2006 by 4:00 p.m. Matter to be submitted on Oct. 23, 2006.

G035831 THE PEOPLE
 v.
 ANDREW VU

Merits. Cause called. Barbara A. Smith argued for appellant. Jennifer Jadovitz, Deputy Attorney General argued for respondent. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 25, 2006 (cont'd)**

G036322 THE PEOPLE
 v.
 OMAR SHERIFF PRYCE

Merits. Cause called. Richard L. Schwartzberg argued for appellant. Keith Lollis, Deputy Attorney General argued for respondent. Cause submitted.

G035941 THE PEOPLE
 v.
 MICHAEL RUIZ

Merits. Cause called. Ellen M. Matsumoto argued for appellant. Theodore Cropley argued for respondent. Cause submitted.

G036212 THE PEOPLE
 v.
 MARCIAL PELAYO

Merits. Cause called. Kevin D. Sheehy argued for appellant. Theodore Cropley argued for respondent. Cause submitted.

G036111 ROBERT W. BLACKBURN
 v.
 CALIFORNIA BOARD OF PHARMACY

Merits. Cause called. Scott R. Baugh argued for appellant. Thomas L. Rinaldi argued for respondent. The court ordered the parties to file additional briefing, on or before October 23, 2006 by 4:00 p.m. Matter to be submitted on Oct. 23, 2006.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 25, 2006 (cont'd)**

G036287 PALACIO DEL MAR
 HOMEOWNERS ASSOCIATION,
 INC.
 v.
 ARNOLD A. McMAHON

Order filed. Order denying petition for rehearing; denial of request for judicial notice; and denial of request for publication.

Ikola, J.

We concur: Bedsworth, Acting P.J.
 O'leary, J.

G035535 THE PEOPLE
 v.
 CHAD RUSSELL STUDEBAKER

Order filed. Submission of the above matter is hereby by vacated and the cause resubmitted as of this date for the period allowed by the law to afford members of the panel additional time to prepare the opinion.

Sills, P.J.

We concur: Rylaarsdam, J.
 Aronson, J.

G036235 THE PEOPLE
 v.
 LOUIS MONTES

Order filed. The above entitled cause is ordered submitted this date.

Sills, P.J.

G035885 AMY HARCHOL
 v.
 BONNIE MASTERS et al.

Order filed. The above entitled cause is ordered submitted this date.

Sills, P.J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 25, 2006 (cont'd)**

G036142 THE PEOPLE
 v.
 LEROY SHACKLEFORD
 WILSON

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

G34189 THE PEOPLE
 v.
 ANTHONY ANDREW GALLAND

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

G036063 THE PEOPLE
 v.
 SANTO LANDA

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

G036173 THE PEOPLE
 v.
 BINH THANH MA

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

G036372 THE PEOPLE
 v.
 TERESA S.

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 25, 2006 (cont'd)**

G036533 KIMBERLY THU NGUYEN
 v.
 HOA PHU TRUONG

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

G036347 THE PEOPLE
 v.
 DARIN ANTHONY HALLET

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

G036026 THE PEOPLE
 v.
 EDWARD PATRICK CAIN

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

G035707 THE PEOPLE
 v.
 JOHN MICHAEL COLUNGA

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

G035911 THE PEOPLE
 v.
 HENRY ERNESTO MORENO

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 25, 2006 (cont'd)**

G035890 THE PEOPLE
 v.
 RAUL RODRIGUEZ

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

G036351 THE PEOPLE
 v.
 HA VAN NGUYEN

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

G035830 THE PEOPLE
 v.
 JUDY DIANE VALOT

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

G036460 THE PEOPLE
 v.
 JOSE LUIS G.

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

G036451 PADILLA CONSTRUCTION
 COMPANY INC.
 v.
 TRANSPORTATION INSURANCE
 COMPANY

Order filed. The above cause entitled cause is ordered submitted this date.
Sills, P.J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 25, 2006 (cont'd)**

G037152	ABBAS ALHUSAINY v. THE SUPERIOR COURT OF ORANGE COUNTY; THE PEOPLE	Certified for publication
	Opinion filed. The order striking the motion to disqualify the judge is affirmed. <div style="text-align: right;">Rylaarsdam, J.</div> We concur: Sills, P.J. Ikola, J.	
G036638	DAVID WILLIAM SELLERS v. CHON GUTIERREZ	Not for publication
	Opinion filed. Judgment affirmed. <div style="text-align: right;">Rylaarsdam, J.</div> We concur: Sills, P.J. Fybel, J.	
G036533	KIMBERLY THU NGUYEN v. HOA PHU TRUONG	Not for publication
	Opinion filed. Judgment affirmed. <div style="text-align: right;">Rylaarsdam, J.</div> We concur: Sills, P.J. Aronson, J.	
G036293	THE PEOPLE v. GENE LOWELL MORAN	Not for publication
	Opinion filed. The order is affirmed. <div style="text-align: right;">Sills, P.J.</div> We concur: Rylaarsdam, J. Aronson, J.	

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 25, 2006 (cont'd)**

G036103 THE PEOPLE

Not for publication

v.

JACOB GABRIEL FLORES

Opinion filed. Judgment affirmed.

Moore, J.

We concur: Sills, P.J.
Ikola, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 26, 2006**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California, 92701. Panel members are Sills, P. J., Aronson, J. and Fybel, J. Antoinette Cajigal deputy clerk attending.

G037402 TIMOTHY M. SEAGONDOLLAR
 v.
 SUPERIOR COURT; MELINDA T. SEAGONDOLLAR

Merits. Cause called. Leslie Ellen Shear argued for petitioner. Brian G. Saylin argued for real party in interest. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 26, 2006**

G034577 CLIFFORD GAMBLE Certified for publication
v.
WORKER'S COMPENSATION
APPEALS BOARD, GALLAGHER
BASSETT SERVICES et al.

Order filed. Order modifying opinion; no change in judgment.
O'leary

We concur: Rylaarsdam, Acting P.J.
Ikola, J.

G036920 ORANGE COUNTY SOCIAL
SERVICES AGENCY
v.
MIGUEL C.

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

G035858 KYU SOP CHON
v.
IN KYU KIM

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

G035688 THE PEOPLE
v.
DARRYL GLENN DEMOSS

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

G036258 THE PEOPLE
G036644 v.
ALLEN GEORGE PLUMB

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 26, 2006 (cont'd)**

G032770 THE PEOPLE Not for publication
 v.
 JOHN FRANKLYN WATKINS

G035917

In re JOHN FRANKLYN WATKINS
 On Habeas Corpus.

Opinion filed. Judgment affirmed. Petition denied.

Bedsworth, J.

We concur: Sills, P.J.
 Fybel, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 27, 2006**

G035340 THE PEOPLE
 v.
 NAM DINH DUONG

Order filed. Submission of the above matter is hereby vacated and the cause resubmitted as of this date for the period allowed by law. The reason submission is vacated is to allow additional time for the preparation of the court's opinion.

Sills, P.J.

We concur: Rylaarsdam, J.
 Fybel, J.

G035195 ROOPINDER SINGH SANGHA
 v.
 VINCENT La BARBERA

Order filed. Submission of the above matter is hereby vacated and the cause resubmitted as of this date for the period allowed by law. The reason submission is vacated is to allow additional time for the preparation of the court's opinion.

Sills, P.J.

G035436 THE PEOPLE
 v.
 JASON VICTOR BAUTISTA

Order filed. Submission of the above-entitled matter is vacated to allow additional time to prepare an opinion. The matter is resubmitted as of this date for the period allowed by law.

O'leary, Acting P.J.

WE concur: Moore, J.
 Ikola, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 27, 2006 (cont'd)**

G036954	<p>ANTHONY NAVARRO v. THE SUPERIOR COURT OF ORANGE COUNTY; PEOPLE OF THE STATE CALIFORNIA</p> <p>Opinion filed. Petition denied.</p> <p>We concur: Bedsworth, Acting P.J. Moore J.</p>	<p>Not for publication</p> <p>Ikola, J.</p>
G035470	<p>WELLS FARGO BANK MINNESOTA, NATIONAL ASSOCIATION v. B.C.B.U. et al.</p> <p>Opinion filed. Judgment affirmed.</p> <p>We concur: O'leary, J. Ikola, J.</p>	<p>Certified for publication</p> <p>Bedsworth, Acting P.J.</p>
G035909	<p>In re ISIDRO CALDERON HERNANDEZ on habeas corpus</p> <p>Opinion filed. Reversed and remanded with directions.</p> <p>We concur: O'leary, J. Ikola, J.</p>	<p>Certified for publication</p> <p>Bedsworth, Acting P.J.</p>

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 27, 2006 (cont'd)**

G034061	THE PEOPLE v. ISIDRO CALDERON HERNANDEZ Opinion filed. Judgment reversed. We concur: O'leary, Acting P.J. Ikola, J.	Not for publication Moore, J.
G035164	JOYCE LITTLE v. MANUEL ESTUDILLO et al. Opinion filed. Judgment reversed. We concur: Sills, P.J. Fybel, J.	Not for publication Aronson, J.
G035551	NORMAN GOLDSTEIN v. GLEN G. FERNANDEZ et al. Opinion filed. Reversed and remanded. We concur: Aronson, J. Fybel, J.	Not for publication Rylaarsdam, Acting P.J.
G035657	THE PEOPLE v. ROBERT SCOTT MARSH Opinion filed. Judgment affirmed. We concur: Bedsworth, Acting P.J. O'leary, J.	Not for publication Moore, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 27, 2006 (cont'd)**

G036131 WELLS FARGO BANK MINNESOTA,
NATIONAL ASSOCIATION
v.
B.C.B.U. et al.

Not for publication

Opinion filed. Reversed and remanded with directions.

Bedsworth, Acting P.J.

We concur: O’leary, J.
Ikola, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 28, 2006**

G035515 G034772	BRADLEY S. TARANTO v. WHITTIER COLLEGE et al.	Not for publication
	Opinion filed. Judgments affirmed.	
	We concur: Sills, P.J. Rylaarsdam, J.	Aronson, J.
G036787	ROBERT T. WONG, Individually and as Trustee, etc., et al. v. CITY OF ANAHEIM	Not for publication
	Opinion filed. Affirmed in part, reversed in part and remanded.	
	We concur: Sills, P.J. O’leary, J.	Moore, J.
G036654	KEHOE TESTING AND ENGINEERING, INC. v. ROBERT L. DOUGLASS, as Trustee etc.	Not for publication
	Opinion filed. Judgment affirmed.	
	We concur: Sills, P.J. Fybel, J.	Rylaarsdam, J.
G036145	SWH CORPORATION v. SELECT INSURANCE COMPANY	Not for publication
	Opinion filed. Reversed and remanded.	
	We concur: Rylaardsdam, Acting P.J. Aronson, J.	Fybel, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 28, 2006 (cont'd)**

G036601	ERIC P. v. JOSEPH D. Opinion filed. The order is affirmed. We concur: Rylaarsdam, Acting P.J. Aronson, J.	Not for publication Fybel, J.
G035100	THE PEOPLE v. ANTOLIN HERNANDEZ SANCHEZ Opinion filed. Judgment affirmed. We concur: Rylaarsdam, Acting P. J. Fybel, J.	Not for publication Aronson, J.
G035719	FLORA LINDA DEFFNER v. WERNER GEORGE DEFFNER Opinion filed. Judgment affirmed.	Certified for publication Aronson, J.
G035795	GOLDEN STATE BORING & PIPE JACKING, INC. v. ORANGE COUNTY WATER DISTRICT, COLICH CONSTRUCTION Opinion filed. Judgment affirmed. We concur: Bedsworth, Acting P.J. O'leary, J.	Certified for publication Ikola, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 29, 2006**

G036997 ORANGE COUNTY SOCIAL
SERVICES AGENCY
v.
ELIZABETH I.

Order filed. The above entitled cause is ordered submitted this date.
Sills, P.J.

G034259 BORIS M. ACKERMAN
G034582 v.
ANN E. ACKERMAN

Order filed. Submission of the above matter is hereby vacated and the cause resubmitted as of this date for the period allowed by law. The reason submission is vacated is to allow additional time for the preparation of the court's opinion.

Sills, P.J.

We concur: Rylaarsdam, J.
Aronson, J.

G034978 THE PEOPLE
v.
RENEE TAIYEAN AU

Order filed. The prior submission of this matter is vacated and the cause is hereby resubmitted as of this date for a period of 30 days. The issues raised in this matter additional time for completion and review of the court's opinion.

Sills, P.J.

We concur: Rylaarsdam, J.
Aronson, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 29, 2006 (cont'd)**

G035711 THE PEOPLE
 v.
 RENEE TAIYEAN AU

Order file. The prior submission of this matter is vacated and the cause is hereby resubmitted as of this date for a period of 30 days. The reason for vacating the original submission order is to allow additional time for the preparation of the court's opinion.

Sills, P.J.

We concur: Rylaarsdam, J.
 Aronson, J.

G036525 PARLOUR ENTERPRISES,
 INC. et al.
 v.
 THE KIRIN GROUP, INC. et al.

Order filed. The prior submission of this matter is vacated. On the court's motion, the supplemental letter brief submitted by respondents on September 22, 2006 is hereby ordered filed. The cause will be resubmitted for a period allowed by law on the date appellant's time to file a supplemental letter brief expires.

Sills, P.J.

We concur: Rylaarsdam, J.
 Fybel, J.

G035816 RICHARD MURILLO
 v.
 THE SUPERIOR COURT OF
 SAN BERNARDINO COUNTY,
 THE PEOPLE OF THE STATE
 OF CALIFORNIA

Certified for publication

Opinion filed. The petition granted.

Rylaarsdam, Acting P.J.

We concur: O'leary, J.
 Ikola, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 29, 2006 (cont'd)**

G036322 THE PEOPLE Not for publication
 v.
 OMAR SHERIFF PRYCE

Opinion filed. Judgment affirmed.

Fybel, J.

I concur: Sills, P.J.

G036632 ORANGE COUNTY SOCIAL Not for publication
 SERVICES AGENCY
 v.
 KATALINA B.

Opinion filed. The orders are affirmed.

O'leary, J.

We concur: Moore, J.

G035572 THE PEOPLE Not for publication
 v.
 MINH TAN NGUYEN

Opinion filed. The judgment is affirmed.

Moore, J.

We concur: Bedsworth, Acting P.J.
 O'leary, J.

G035690 YVONNE M. HINES et al. Not for publication
 v.
 JOHN ANDERSON

Opinion filed. The judgment is affirmed.

O'leary, Acting P.J.

We concur: Moore, J.
 Ikola, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 29, 2006 (cont'd)**

G035177	THE PEOPLE v. ROBERTO CARLOS CRUZ et al. Opinion file. Judgment affirmed. We concur: Aronson, J. Fybel, J.	Not for publication Sills, P.J.
G036336	BEHR PROCESS CORPORATION v. ALLIANZ INSURANCE COMPANY Opinion filed. The judgment is affirmed. We concur: Bedsworth, Acting P.J. Ikola, J.	Not for publication O'leary, J.
G036102	SEIKO CORPORATION OF AMERICA v. THOMAS C. DAVIS Opinion filed. Judgment affirmed. We concur: Moore, J. Ikola, J.	Not for publication Bedsworth, Acting P.J.
G035656	THE PEOPLE v. DUNG VAN NGUYENT Opinion filed. The judgment is affirmed. We concur: Rylaarsdam, Acting P.J. Bedsworth, J.	Not for publication Moore, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
September 29, 2006 (cont'd)**

G035887 THE PEOPLE
 v.
 DAN DUY TRAN

Not for publication

Opinion filed. The judgment is affirmed.

O'leary, J.

We concur: Bedsworth, Acting P.J.
 Ikola. .